

2/5/79 [7]

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THE WHITE HOUSE

WASHINGTON

3 February 1979

C

MEMORANDUM FOR THE PRESIDENT

FROM:

RICK HUTCHESON *R.H.*

SUBJECT:

Status of Presidential Requests

EIZENSTAT:

1. (1/17) (and McIntyre) Assess the memorandum from Governor Busbee concerning views on the budget; this is one of the best memos the President has ever seen from a state or local official. Please respond by 2/1 -- In Progress. Stu says: "I am working with Jim McIntyre on assessing the memorandum from Governor Busbee and will have my recommendations to you by the close of business Tuesday, February 6."
2. (1/26) The President will see Doug Costle when he returns concerning EPA's ozone rule; Phil will set it up -- In Progress.
3. (1/29) See if Jack will work on the Omnibus Territories Bill (H.R. 6550) (signed 10/15/77) which opens participation to U.S. territories in Federal programs -- Done. *done*

BRZEZINSKI:

1. (1/24) Discuss your alternate proposal with Jim McIntyre concerning the request for new authorization to negotiate a renewal of the Azores base agreement and for additional grant military assistance for Portugal. We need to phase our grant; State should not make or imply commitments without prior agreement with OMB or approval by the President -- Done, (on your desk).
2. (1/29) (and Blumenthal) Any policy direction concerning guidance for questions on Jackson-Vanik (on trade between the U.S. and China) should be cleared personally by the President -- Message Conveyed.

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SECRETARY BROWN:

1. (12/14) When will the President receive the JC's positions on SALT III and MBFR? -- In Progress, (as part of a comprehensive report, expected 2/7).

WATSON:

1. (1/22) Draft a reply to the letter from Governor Jay Rockefeller concerning new coal technology vis-a-vis announcement of Gulf SRC-II plant near Morgantown; check with McIntyre -- Done (Jack sent out response on 1/31). *done*

THE FIRST LADY:

1. (1/23) Please comment on the Richard Harden memo concerning a meeting between Miss Lillian and Vice Premier Deng -- Done. *done*

THE VICE PRESIDENT:

1. (1/26) Talk to Frank Sato regarding possible acceptance of DOT Inspector General position -- Done (they spoke once this past week, and will do so again in the week of 2/5). *done*

ATTORNEY GENERAL BELL:

1. (1/17) Comment on the memo from IOB Chairman Tom Farmer -- In Progress, (expected 2/6).

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9:00 AM

THE WHITE HOUSE

WASHINGTON

February 3, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

JACK WATSON *Jack*

SUBJECT:

Agenda for the Cabinet Meeting
February 5, 1979
9:00 a.m. Cabinet Room

All Cabinet members are expected to attend except Secretary Bergland, who will be represented by Assistant Secretary Rupert Cutler, and Secretary Adams, who will be represented by Deputy Secretary Alan Butchman.

DOMESTIC ISSUES

Amtrak

The announcement of proposed route reductions may be of interest to the full Cabinet. Given Congressional sensitivities, it might be useful if the entire Cabinet was briefed by Mr. Butchman on the report and its origin in a Congressional request.

Budget

You may want to solicit comments as to how your FY 1980 budget has been received around the country and on the Hill. Continuing reinforcement of the Cabinet's need to hold the line will be helpful as well.

Energy

You may want Jim Schlesinger to report on the status of projected energy shortages given varying assumptions about the availability of Iranian oil. Jim reported on this matter two weeks ago, but an update may be useful.

Economic Issues

Charlie Schultze will be prepared to comment on current economic indicators.

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Ethics in Government Act

Concern over the implications of the Act for top level appointees' tenure was expressed at the last Cabinet meeting. Bob Lipshutz and I have been working on this matter and will shortly have a report to you. I believe you should make the following points at the meeting:

- The problems the Act potentially pose for post government service employment are well-known;
- The appointment of an Acting Director of the Office of Ethics in OPM has been made (Bernhardt Wruble) and he is consulting with each agency in developing the implementing regulations;
- Working with Justice, OPM is moving to publish implementing regulations quickly - by the end of this month;
- Early indications are that a substantial portion of the potential problems can be resolved through regulations which balance the need for the Act (which you supported) and reasonable interpretations of it;
- It is important that each agency head quiet fears within each Department while the consulting and drafting process proceeds;
- Public discussion of the "worst case" possibilities is not helpful to you or the orderly consideration of how to deal with the problems in regulations;
- You have no present intention of seeking legislative changes in the Act. (You should know there is discussion of seeking delay in the effective date of the Act, or otherwise amending the Act, if the final regulations are not satisfactory. I recommend against your alluding to this possibility at the Cabinet meeting.)

Both Bob and I are prepared to address specific issues if they are raised at the meeting.

Other Items

Tim Kraft asks that you alert the Cabinet to the need for each member to be prepared to accept three speaking engagements this year which you are unable to accept. You approved this approach in a memorandum Tim sent you in December 1978.

Tim will contact each Secretary's scheduling person with adequate lead time, and will only ask for Cabinet participation for politically important events.

John White has asked that you remind the Cabinet of the DNC fund-raiser in Los Angeles on March 2nd at the Beverly Hilton Hotel. This is a Presidential "extra" which does not count against their appearances in your behalf.

Legislative Task Forces. Both the Vice President's staff and Frank have asked that you note the importance of the several task forces that have been created to coordinate Administration strategy on the Hill regarding high priority matters. Those chairing the ten Task Forces would be greatly helped by your identifying the Task Force as the mechanism for reviewing and implementing Congressional strategy. Cabinet members can be assured that there is no intention to erode their responsibility but that cooperation from every level of their agencies is essential if the concept is to work.

FOREIGN ISSUES

China

You may wish to report on your reactions to the Deng visit. Cy is prepared to add his comments to yours.

Indo-China

Cy is prepared to brief on the situation in Indo-China.

Iran

Cy is prepared to brief on developments in Iran.

SALT II

You may want to note the status of the SALT talks.

Middle East

You may want to comment on the status of the Middle East negotiations.

cc: Vice President

THE WHITE HOUSE
WASHINGTON

2/5/79

Frank Moore

The attached was returned in the President's outbox today and is forwarded to you for appropriate handling.

Rick Hutcheson

cc: The Vice President
Hamilton Jordan
Stu Eizenstat
Jack Watson

ADMINISTRATIVELY
CONFIDENTIAL

FOR STAFFING

FOR INFORMATION

FROM PRESIDENT'S OUTBOX

LOG IN/TO PRESIDENT TODAY

IMMEDIATE TURNAROUND

NO DEADLINE

LAST DAY FOR ACTION

ACTION

FYI

ADMIN CONFIDENTIAL

CONFIDENTIAL

SECRET

EYES ONLY

VICE PRESIDENT

JORDAN

EIZENSTAT

KRAFT

LIPSHUTZ

MOORE

POWELL

RAFSHOON

WATSON

WEXLER

BRZEZINSKI

MCINTYRE

SCHULTZE

ADAMS

ANDRUS

BELL

BERGLAND

BLUMENTHAL

BROWN

CALIFANO

HARRIS

KREPS

MARSHALL

SCHLESINGER

STRAUSS

VANCE

ARAGON

BUTLER

H. CARTER

CLOUGH

CRUIKSHANK

FALLOWS

FIRST LADY

GAMMILL

HARDEN

HUTCHESON

LINDER

MARTIN

MOE

PETERSON

PETTIGREW

PRESS

SANDERS

VOORDE

WARREN

WISE

return orig to
me to read

THE WHITE HOUSE
WASHINGTON

February 3, 1979

*Frank -
Good info on
Comm. H.C.S.
J*

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE

Subject: Weekly Legislative Report

I. DOMESTIC ISSUES

1. Real Wage Insurance -- Treasury is working on a vote count and hopes to have a fairly good picture of the likely outcome in committee by Wednesday. Secretary Blumenthal meets with Ullman on Wednesday morning and the Committee Democrats may caucus later on in the day.

Prospects seem to be improving -- with support from UAW, AFSCME and CWA -- but the outcome is still very uncertain.

2. Antitrust -- Illinois Brick legislation was introduced by Kennedy/Rodino at a press conference on Wednesday. Fast processing is scheduled by both Houses. Hearings are already scheduled for February 19 and 26 before Senator Metzenbaum's Antitrust Subcommittee on the Antitrust Improvements bills submitted by the Department of Justice and the recommendations of the Antitrust Commission. Conglomerate merger hearings are tentatively scheduled for the week of February 20th. Hearings are also scheduled on Senator Kennedy's Competitive Improvement Act ("competitive impact" bill) for March 6.

3. Amtrak -- In a Wednesday press conference held at New York's Penn Station, Secretary Adams announced the Department of Transportation's recommendations for the restructuring of Amtrak's passenger train system. The DOT plan calls for the elimination of 16 inter-city passenger trains, the abandonment of 12,000 of the 27,700 mile system and a cut of \$1.4 billion in Amtrak subsidies over the next five years.

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Either House of Congress can veto the restructuring by passing a resolution of disapproval within 90 legislative days. The resolution would presumably come from the Commerce Committees of the House and Senate. DOT reports that initial reactions from the Chairmen most likely to lead such an effort have ranged from noncommittal to favoring the restructuring. In House Commerce, Representative Staggers has been neutral so far. His state loses most of its service under the proposal. Representative Florio, the new Transportation Subcommittee Chairman, has reacted favorably. In the Senate Commerce Committee, Senators Long and Cannon have both responded positively.

The Chairmen of the full Appropriations Committees and the Transportation Subcommittees of both the House and the Senate all lose service under the proposal; DOT reports their initial reaction as "favorable."

The Commerce Committees of both houses are expected to hold hearings on the re-structuring in March.

4. Pipeline Safety -- On February 8, Secretary Adams is scheduled to appear before the full Senate Commerce Committee to testify on DOT's pipeline legislation and LNG regulation. The Committee plans to review the Department's proposed legislation before drafting their own proposal.

On the House side, Representatives Dingell and Markey have already introduced their fuels transportation bill which passed the House last year. Dingell's Energy Subcommittee of House Commerce is expected to hold hearings in March.

5. LEAA Reauthorization -- Senator Kennedy reintroduced the bill with criticism of Administration budget cuts. Congressman Rodino is introducing it on the House side. Hearings are scheduled at full Senate committee on February 9 and in the House subcommittee on February 13. Senator Kennedy has announced that if he is not able to restore budget cuts, he may try to restructure the bill and direct most of the monies to the states.

II. FOREIGN POLICY ISSUES

1. China -- The China Omnibus Bill has been formally introduced by Senator Church (S. 245) and Congressman Zablocki. On the Senate side, SFRC hearings will begin February 5 with Warren Christopher and Harold Brown as the chief Administration witnesses. There will be an afternoon session with Administration witnesses and public witnesses on Tuesday, the 6th.

In the House, the full HIRC will hold a day and a half of hearings to start at 1:00 p.m. on Wednesday, February 7. At this point, Warren Christopher is scheduled to be the only witness. Hearings on the 8th will be divided between Administration and public witnesses. The scene will then shift to Lester Wolff's Subcommittee on Asian and Pacific Affairs, for hearings on February 14 and 15. Witnesses according to Wolff will include Dick Holbrooke, Richard Nixon, Gerald Ford and Henry Kissinger. Mark-up is scheduled for February 16, and the bill could move to the floor by the 19th. Thus, we expect House floor action before the Senate acts.

Two briefings were held for House and Senate staffers on Thursday, February 1. Materials reviewed were the Omnibus Bill plus the agreement signed by you and Vice Premier Teng.

At this moment, Congressional concerns are focused on three main areas:

-- Guarantees for the future security of Taiwan. It is virtually certain that language will be added to the Bill on this issue, but we believe it can be kept consistent with our agreement with the PRC.

-- The question of privileges and immunities for representatives of the people of Taiwan. Here we also face the likelihood of an amendment.

-- Moves to make the instrumentality on Taiwan into a Liaison Office -- i.e., reverting to government-to-government relations.

2. Foreign Assistance -- Secretary Vance will testify before the House International Relations Committee on foreign assistance authorization legislation on February 5. Governor Gilligan will testify before the HIRC on February 7.

If the hearings follow their usual pattern most questions asked of Secretary Vance will be on current foreign policy issues, e.g., Iran, China, Nicaragua, and Turkey, rather than specific aid issues. Aid related questions could include refugees, reorganization of refugee programs and all development assistance, Middle East peace package and human rights. The Committee will undoubtedly raise the issue of Governor Gilligan's resignation.

3. Panama Implementing Legislation -- John Murphy, Chairman of Merchant Marine and Fisheries, introduced by request the Administration bill to implement the Panama Canal Treaties. The legislation, co-sponsored by Zablocki, Rodino and Price will be jointly referred to four committees in the House, with a reporting date of April 10.

Murphy introduced an alternate bill last week. We expect that he will try to incorporate several provisions of his bill into ours. We will watch the hearing process closely. The Panama Canal Subcommittee will hold three weeks of hearings, beginning February 14. Post Office and Civil Service Committee hearings are scheduled for early March. Both Committees will hold some hearings in Panama.

In the Senate, the entire bill will be referred to Armed Services. It is expected that the Senate will wait until House action is completed before it considers the legislation.

III. HEARINGS

Significant hearings involving Administration officials this week include:

<u>Date</u>	<u>Witness</u>	<u>Committee</u>	<u>Subject</u>
Mon. 2/5	Secretary Brown Asst. Secy. Christopher	Senate Foreign Relations	China Omnibus Bill
	Secretary Brown Secretary Vance	House Internat. Relations	Security Assistance
Tue. 2/6	Secretary Marshall	Senate Human Resources	ERISA Improvements bill introduced by Williams & Javits
	GSA officials who were in procurement in 1971	Senate Subc. on Federal spending Practices (Chiles)	1971 draft audit report re competi- tive bidding
	Attorney General Bell	Senate Approp.	DOJ Appropriations
	Secy. Blumenthal Director McIntyre	Senate Finance Taxation & Debt Management Subc.	Public Debt Limit
	Kahn & Bosworth	House Banking Econ. Stabiliza- tion Subc.	CWPS Extension
Wed. 2/7	Secretary Brown Gen. Jones	House Approp. Committee	FY 1980 Defense Posture (continues on Thursday)
	Director McIntyre	Senate Budget	Outlook for FY '80
	Governor Gilligan	House Internat. Relations	Foreign Assistance

<u>Date</u>	<u>Witness</u>	<u>Committee</u>	<u>Subject</u>
Wed. 2/7	Asst. Secy. Christopher	House Internat. Relations	China Omnibus Bill
Thurs. 2/8	Secretary Califano	Senate Subc. on Social Security (Nelson)	Proposed Disa- bility Ins. Reforms
	Secretary Andrus	Senate Energy Committee	Oversight-DOI FY 80 budget
	Secretary Kreps	Senate Approp. Subc. on State, Justice, Commerce, & the Judiciary	Commerce Approp.
	Secretary Adams	Senate Commerce	Pipeline legis. & LNG regula- tion
Fri. 2/9	Dep. Attny. Gen. Benjamin Civiletti	Senate Judiciary	LEAA Reauthor.

NOTE: The First Lady will also testify on Mental Health services before Senator Kennedy's Health Subcommittee.

IV. MISCELLANEOUS

New Committees -- Senate. I am including a general analysis of Senate committees; next week I'll provide a similar analysis of House committees.

IV. MISCELLANEOUS (con't)

Task Forces -- We have established ten task forces and have named persons to chair each. In almost every case, the groups have already started to meet regularly and have begun to develop their strategies. Those which are operational, and the chairpersons of each, are as follows:

- (1) SALT/Hamilton Jordan
- (2) Budget & Appropriations/Herky Harris
- (3) MTN & CVD/Bob Strauss, Anne Wexler and I
Co-Chair
- (4) Real Wage Insurance/Gene Godley
- (5) Hospital Cost Containment/Dick Moe
- (6) Department of Education/Terry Straub
- (7) PRC/Taiway Legislation/Doug Bennet
- (8) Surface Transportation Dereg./Alan Butchman
- (9) Federal Pay Reform/Scotty Campbell & John White
Co-Chair
- (10) Public Financing of Cong. Elections/ Mike Berman

We have requested that detailed written "work plans" be submitted to Hamilton and me by the end of next week; the work plans are to set forth the Congressional, public outreach, and press strategies to be implemented for each issue. We will set up similar task forces for Panama implementing legislation, welfare reform, Alaska lands and the major reorganization plans.

In order to make sure that the task force concept works in practice, all parties (White House staff and Cabinet departments) must be made aware that you expect that each task force will be the only vehicle by which strategy on a particular issue is developed and implemented, that you do not want to find people circumventing or undercutting this system. We have not yet had problems in this regard, but an early warning from you might very well prevent future problems.

Congressional Black Caucus -- EEOC reports that the Congressional Black Caucus is "miffed -- that a letter is being sent to the President -- because no blacks (except Ambassador Young) were invited to the state dinner for Teng Hsiao-ping. They point out that Congresswoman Collins went to China with Shirley McLaine, who was at the dinner, during the Nixon administration; that the head of ICA could have been invited; that Mrs. John Johnson, wife of the country's largest black publisher, was also an official visitor, etc."

House Budget Committee -- The House Budget Committee and the full House Appropriations Committee began overview hearings on the budget this week. DOL reports its concern that Director McIntyre's testimony on Title VI, i.e., that it is "revenue sharing," helped build a case for total elimination of Title VI with some of the members. DOL believes this is not in accord with the Administration position.

The intensity of DOL's concern in this matter seems to indicate a possible rift. Perhaps you should talk with Jim and Ray about this. ok

National Health Insurance -- After your meeting with Secretary Califano, Stu and me about NHI, I was surprised to discover HEW on the Hill without informing anyone at the White House. I spoke with Joe and he agreed to include me or my staff in all further briefings.

Jim Scheuer (D.-NY) became Chairman of the Consumer Protection Subcommittee. His comment was "How do you tell your wife you just won an election by a vote of 13 to 14 but you didn't have an opponent."

Henry Waxman, new Health Subcommittee Chairman will provide us an opportunity to make a new friend. He will have a new staff and will be faced with a tough potentially partisan subcommittee. An early meeting with Henry could be most valuable. ok

THE WHITE HOUSE

WASHINGTON

February 2, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: HUGH CARTER ^{HC}

SUBJECT: Weekly Mail Report (Per Your Request)

Below are statistics on Presidential and First Family:

<u>INCOMING</u>	<u>WEEK ENDING 1/26</u>	<u>WEEK ENDING 2/2</u>
Presidential	36,080	37,330
First Lady	1,210	1,265
Amy	355	305
<u>Other First Family</u>	<u>85</u>	<u>70</u>
TOTAL	37,730	38,970

BACKLOG

Presidential	13,260	8,980
First Lady	160	150
Amy	0	0
<u>Other</u>	<u>0</u>	<u>0</u>
TOTAL	13,420	9,130

DISTRIBUTION OF PRESIDENTIAL MAIL ANALYZED

Agency Referrals	8%	9%
WH Correspondence	48%	49%
Unanswerable Mail	14%	14%
White House Staff	10%	6%
Greetings Requests	20%	21%
<u>Other</u>	<u>0</u>	<u>1%</u>
TOTAL	100%	100%

NOT INCLUDED ABOVE

Form Letters	951	52,200
Form Post Cards	3,050	4,150
Mail Addressed to White House Staff	14,984	18,237

cc: Senior Staff

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MAJOR ISSUES IN
CURRENT PRESIDENTIAL ADULT MAIL
Week Ending 2/2/79

ISSUES	PRO	CON	COMMENT ONLY	NUMBER LETTERS
Support for Budget Cutbacks for FY 1980	4%	95%	1%	1,242
Support for Deregulation of Trucking Industry	0	100%	0	1,199
Support for Dismissal of Bella Abzug	40%	58%	2%	713
Support for Recognition of People's Republic of China	6%	91%	3%	627
Support for Richard Nixon's Invitation to White House	5%	95%	0	523
Support for President's State of Union Message 1/23/79	43%	36%	21%	418
Support for President's Grant of Executive Clemency to Patricia Hearst (1)	33%	65%	2%	314
Support for President's Position re: Middle East	2%	87%	11%	204
Support for President's Program to Deal with Inflation	11%	15%	74%	<u>137</u>
			TOTAL	5,377

(1) SUPPORT FOR GRANT OF CLEMENCY TO PATRICIA HEARST (65% Con)

Protestors label the President's action as "a mockery of our system of justice" and suggest that Ms. Hearst received preferential treatment because of the Hearst family's prominence and wealth.

Contending that Ms. Hearst has suffered enough, supporters (33%) thank the President for granting executive clemency in this unprecedented case.

THE WHITE HOUSE
WASHINGTON
2/5/79

Stu Eizenstat
Frank Moore

The attached was returned in
the President's outbox today
and is forwarded to you for
appropriate handling.

Rick Hutcheson

cc: The Vice President
Tim Kraft
Jerry Rafshoon

FOR STAFFING

FOR INFORMATION

FROM PRESIDENT'S OUTBOX

LOG IN/TO PRESIDENT TODAY

IMMEDIATE TURNAROUND

NO DEADLINE

LAST DAY FOR ACTION

ACTION

FYI

ADMIN CONFIDENTIAL

CONFIDENTIAL

SECRET

EYES ONLY

	X	VICE PRESIDENT
		JORDAN
X		EIZENSTAT
	X	KRAFT
		LIPSHUTZ
X		MOORE
		POWELL
	X	RAFSHOON
		WATSON
		WEXLER
		BRZEZINSKI
		MCINTYRE
		SCHULTZE
		ADAMS
		ANDRUS
		BELL
		BERGLAND
		BLUMENTHAL
		BROWN
		CALIFANO
		HARRIS
		KREPS
		MARSHALL
		SCHLESINGER
		STRAUSS
		VANCE

		ARAGON
		BUTLER
		H. CARTER
		CLOUGH
		CRUIKSHANK
		FALLOWS
		FIRST LADY
		GAMMILL
		HARDEN
		HUTCHESON
		LINDER
		MARTIN
		MOE
		PETERSON
		PETTIGREW
		PRESS
		SANDERS
		VOORDE
		WARREN
		WISE

THE WHITE HOUSE
WASHINGTON

2/5/79

Mr. President:

Tim Kraft and Jerry Rafshoon concur. Rafshoon thinks that you should not be so involved that you are perceived as being too political. The Vice President should also be active in this area.

Rick

C

THE WHITE HOUSE

WASHINGTON

January 30, 1979

MEMORANDUM FOR: THE PRESIDENT

FROM: STU EIZENSTAT *Stu*
FRANK MOORE *FM by RB*

SUBJECT: Election Reform Proposals

As you know, in early 1977 we sent an election reform package to Congress which did not pass. Your guidance is needed on what posture we should take on election reform issues during the next Congress.

(1) Public Financing of Congressional Campaigns

In the election reform message you strongly supported public financing of Congressional campaigns and set forth principles upon which public financing should be based, such as a tax check-off system and a requirement that candidates demonstrate substantial public support before receiving funding.

Despite strenuous efforts, Senators Byrd, Clark, Cranston and Kennedy were able to muster no more than 52 votes against a filibuster, which killed the Senate public financing bill. You visibly supported the bill, calling for Senate passage at a press conference just before the final Senate cloture vote. When the filibuster succeeded, the media portrayed this as a "Carter defeat", and it has often been listed as one of the items on our legislative agenda which we did not accomplish.

On the House side, a public financing bill was not reported out of the House Administration Committee. Speaker O'Neill and Representatives Mikva, Brademas, Foley, Wirth and others lobbied hard for a rule allowing a vote on a public financing amendment, but failed in a floor vote of 213 to 196.

Speaker O'Neill has indicated that he will make public financing of Congressional campaigns a high priority issue in the 96th Congress. New assignments make the outlook much more favorable in the House committee this year. Both the Speaker and Frank Thompson are going to push for quick action. On the Senate side, Senator Kennedy

has already indicated he will push a bill. The Senate will be even more conservative this year, and Senator Clark, the bill's prime proponent, has been defeated. House passage will be difficult, and a Senate filibuster is almost certain to succeed. Even if the House limits the bill's coverage to only House campaigns, there is still likely to be a Senate filibuster.

You have already made it clear that the Administration will support public financing in the 96th Congress. Your guidance is needed on how visible and extensive the Administration's effort should be. Arguments in favor of a visible effort are:

- We strongly support this measure on policy grounds. Public financing would go far toward restricting the growing power of special interest groups, including the escalation of business PAC's.
- If we do not take the initiative, Tip O'Neill and others will press you for public, intense support, and it will be difficult to refuse.
- Even if the bill does not pass, it is a good issue to fight for publicly, especially in light of the large amounts of special interest funds spent in the 1978 election.
- This is an issue without any real budget or inflation cost which appeals to liberal Democrats.
- Last year expectations for passage were high and the defeat was therefore seen as major. This year there is full appreciation of the difficulties involved and less risk if we are unsuccessful.

Arguments against an extensive Administration effort and high visibility by you are:

- The bill is unlikely to pass, and you would be associated with the defeat.
- Aside from Common Cause and a few other groups, there is not wide interest group pressure for our involvement.

-- Even though Federal expenditures for public financing would be small, we will have our inflation arguments thrown back at us.

Recommendation

We and the Vice President recommend that the public financing issue should be visibly pressed, win or lose, for both substantive and political reasons.

DECISION

- ✓
_____ Support with visible Presidential and appropriate Administration effort, coordinated by Congressional Liaison. (Recommended)
 - _____ Support but without visible Presidential and extensive Administration involvement.
- already emphasized in St of Union*

(2) Hatch Act Reform

In the election reform message you supported revision of the Hatch Act. You urged that federal employees in non-sensitive positions be freed of restrictions on voluntary off-duty political activity, and that there be strong penalties against any on-duty political abuse. A task force was established to implement these directives, and it worked closely with Congress. Although the Hatch Act Reform bill passed the House by a vote of 244-166, it was killed in the Senate. Despite intense Administration and labor union efforts, not a single member of the Senate Governmental Affairs Committee could be found who would floor manage the bill. Chairman Ribicoff opposed it. Even if the bill had gotten to the floor, it was opposed by many Republicans and some Democrats, and a filibuster probably would have been successful.

The public employee and postal unions are aggressively pushing this bill, and it is likely to pass the House again next Congress. It will not pass the Senate.

We must continue to support Hatch Act Reform. Scotty Campbell of the Office of Personnel Management believes that any Administration efforts on its behalf next year should come from the White House. Scotty points to previous White House efforts and to your support for the bill in a letter you sent to Representative Clay.

However, this legislation will not pass. Unlike public financing it is not generally popular, and it exposes you to the charge of trying to politicize the civil service. We believe that this issue should be given to Scotty as the appropriate agency head to handle and to speak for publicly. We should tactfully tell labor unions that the assignment is Scotty's, and they should coordinate their efforts with him.

DECISION

☒ Support Hatch Act Reform but have Scotty Campbell handle it without White House involvement.
(Recommended)

☐ Involve White House.

(3) Election Day as a National Holiday

Many experts think making general election day a national holiday would increase voter turnout in general elections. In the Senate, the Majority Leader's staff is actively exploring a proposal for a half day holiday on general election day. We are certainly not prepared to recommend either proposal to you at this time. Nevertheless, there is no question voter turnout is the most serious problem in electoral politics today, so any proposed solution deserves serious study.

Consequently, we would like to ~~intensively~~ study the idea of an election day holiday and return a decision paper to you if it appears to be a viable proposal.

☒ Approve

☐ Disapprove

(4) Other Proposals

In your 1977 message you supported amendments to the Federal Election Campaign Act which would simplify reporting requirements, provide funds for candidates' accounting expenses and allow State and local parties to spend a certain amount of funds on behalf of Presidential candidates without it being a campaign contribution. A bill embodying these amendments and others overwhelmingly passed the Senate but did not pass the House after some controversial amendments were added. A similar bill stands a good chance of passage this year. It should be supported again. Although the White House should follow this bill, no major Administration effort should be needed.

Our message last year also contained proposals for a constitutional amendment providing for direct election of the President and for election day voter registration. Neither of these proposals moved in the last Congress, and they are considered "dead" by key Congressional staff. However, we will continue to work with the Vice President's staff and explore other election reform proposals that may improve the electoral process and seek your guidance if any appear promising. For example, there may be politically feasible ways to limit special interest influence on Congressional campaigns such as lowering Political Action Committee and Congressional Campaign Committee contribution limits. We will explore the pros and cons.

6245
ID. 786658-

THE WHITE HOUSE
WASHINGTON

DATE: 22 JAN 79

FOR ACTION: TIM KRAFT

ANNE WEXLER nc

JERRY RAFSHOON ^{-attached}

moore -

up Thomson
exp. 1/30 with
some changes

INFO ONLY: THE VICE PRESIDENT

HAMILTON JORDAN

JACK WATSON

JODY POWELL

SUBJECT: EIZENSTAT MOORE MEMO RE ELECTION REFORM PROPOSAL

+++++
+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +
+ BY: 1200 PM WEDNESDAY 24 JAN 79 +
+++++

ACTION REQUESTED:

STAFF RESPONSE: (☒) I CONCUR. () NO COMMENT. () HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

Tim -

Agree with Stu
on W.H. push for public
Need Comments today for meeting; &

Given for Scotty Campbell
to lead on Health Act
Reform

OPT-3 (revised)

- OK put TK
in margin

244
ID 786658-

THE WHITE HOUSE

WASHINGTON

DATE: 22 JAN 79

FOR ACTION: TIM KRAFT

2/5
JERRY RAFSHOON

ANNE WEXLER

INFO ONLY: THE VICE PRESIDENT

HAMILTON JORDAN

JACK WATSON

JODY POWELL

SUBJECT: EIZENSTAT MOORE MEMO RE ELECTION REFORM PROPOSAL

+++++
+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +
+ BY: 1200 PM WEDNESDAY 24 JAN 79 +
+++++

ACTION REQUESTED:

STAFF RESPONSE: () I CONCUR. () NO COMMENT. () HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

I think we should press ahead on Election Reform, however we must not use the President so much that he is perceived as being too political. we should use the V.P. too on this.

THE WHITE HOUSE
WASHINGTON

2/5/79

Attorney General Bell

The attached was returned in
the President's outbox today
and is forwarded to you for
appropriate handling.

Rick Hutcheson

cc: The First Lady
Stu Eizenstat
Bob Lipshutz
Jerry Rafshoon
Anne Wexler
Fran Voorde
Phil Wise

THE WHITE HOUSE
WASHINGTON

2/3/79

Mr. President:

Phil and Fran suggest a May 1 (Law Day) reception at the White House. The First Lady says that a reception is ok with her if you want to do it.

Bob Lipshutz concurs with the Attorney General, except that he believes Judge Kaufman is not an appropriate recipient of the Medal of Freedom.

Rafshoon, Wexler and Eizenstat support the idea of a White House reception, but do not support giving Medals of Freedom to Judges Kaufman and Tuttle.

Eizenstat believes that a White House reception would highlight your Judicial Reform Message. Giving out awards at the reception would detract from media attention to the Judicial Reform Message. In addition, Judge Kaufman has been severely criticized for his handling of the Rosenberg case. Judge Tuttle is an outstanding jurist, but lacks the national reputation of several other jurists. Furthermore, your awards thus far have been to persons (Jonas Salk, ML King) with worldwide reputations. This is hardly the case with Kaufman or Tuttle. However, Judge Bell "has stated he would like to speak with you personally if you are inclined not to make these awards."

--Rick

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for Preservation Purposes



Office of the Attorney General
Washington, D. C. 20530

January 26, 1979

*White House
reception ok.
No Medals of
Freedom
J.C.*

MEMORANDUM FOR THE PRESIDENT

RE: Proposed Reception for Judges and Lawyers

I recommend that you hold a reception at the White House for the Nation's leading judges and bar officials. This would be a tangible sign of your leadership in the justice field and would greatly enhance the chances for passage of justice and court reform measures we will submit to Congress soon.

Up to now, adoption of our justice-related proposals has been uneven. In addition, the attitudes of many judges and lawyers toward the Administration are not as positive as they should be. Those difficulties could be resolved in significant measure if you would hold the judicial-bar reception during the next few weeks to coincide with your tentative plan to deliver a message to Congress on our package of justice legislation.

Interest in justice legislation is at a high level now in Congress. Implementation of the Omnibus Judgeship Bill has attracted a great deal of public and media attention. It is most appropriate that the President join with Congress and the Judiciary in forging new improvements in the courts and related processes. Although a reception may not seem like a major event, I believe it would be of great symbolic importance to the legal community and the general public.

The reception would be for State Chief Justices, Justices of the Supreme Court, Chief Judges of the U.S. Courts of Appeals, other federal judges, the presidents of the major legal organizations (such as the ABA, the National Bar Association, the American Law Institute), and the leadership of major public interest law groups and other organizations interested in the justice system. Others to attend would be the Vice President, your Counsel, the Solicitor General, Speaker of the House, the members of the House and Senate Judiciary Committees, and myself.

I suggest you make informal remarks at the reception to stress your dedication to improving the justice system, to work-

ing cooperatively with the lawyers and judges, and to filling the new judgeships with high-quality persons from all segments of the bar selected through processes that are, to the maximum extent possible, free of domination by partisan, political influences.

I suggest you also use this occasion to award the Presidential Medal of Freedom to Chief Judge Irving R. Kaufman of the Court of Appeals for the Second Circuit, and Judge Elbert P. Tuttle of the Court of Appeals for the Fifth Circuit. They richly deserve this recognition of their long service, and the awards would give added meaning to the reception. I am attaching draft citations for their medals.

Respectfully,

A handwritten signature in dark ink, appearing to read "Griffin B. Bell". The signature is fluid and cursive, with the first name "Griffin" being more prominent and the last name "Bell" following in a similar style.

Griffin B. Bell

Irving R. Kaufman

During his 30 years as a Federal judge, Irving R. Kaufman has given distinguished service to the law and to the Nation.

Judge Kaufman's contributions have been in two broad categories during his service on the bench as a District judge beginning in 1949 and on the Court of Appeals for the Second Circuit since 1961. In more than 1,000 legal opinions, Judge Kaufman has compiled a remarkable, pioneering record -- an unflagging support of the law, an abiding commitment to what is just. His opinions have illuminated difficult issues arising from the core of our national experience -- criminal law, prisoners' rights, racial discrimination, business and financial law. Many of his most forceful opinions have related to part of the bedrock of our society -- the First Amendment's guarantees for free expression. He has never been concerned with what may be popular. He has always been devoted to what is right.

The second great area of his service is in the administration of justice. He recognized before most that justice cannot flourish if its processes are endlessly tangled and agonizingly slow. One of his innovations, the Civil Appeals Management Plan, has greatly reduced time needed for disposition of cases and has been widely adopted by other courts. It is one of the factors that has led to a remarkable accomplishment. In his five full terms as chief judge, the Second Circuit has kept current with appeals filed.

His achievements have extended beyond his own court in a number of other ways. He is a member of the Executive Committee of the Judicial Conference of the United States, and wrote its Statement of Essentials of Pretrial Procedure. He has been deeply involved in work on the jury system and the code of judicial conduct. For the past eight years, he also has headed the landmark work of the Juvenile Justice Standards Project of the Institute of Judicial Administration and American Bar Association.

Learned Hand once said of Judge Kaufman that he "is a man of most exceptional capacity. He has an admirable mind. . . is most anxious to discharge his duties without prejudice or favor, and is extraordinarily diligent."

The court system and the Nation will long be in Judge Kaufman's debt.

Elbert P. Tuttle

Elbert P. Tuttle has been a judge of the Court of Appeals for the Fifth Circuit for nearly a quarter-century. During that time he has served with great distinction in dealing with complex, emotional issues during one of the Nation's most turbulent periods. He was appointed a judge of the Fifth Circuit in 1954, became its chief judge in 1960, and has been on senior, but very active, status since 1968.

When he became chief judge, he was faced with one of the great legal challenges of that or any other decade. It had been six years since the Supreme Court issued its landmark decision, in *Brown v. Board of Education*, that racially segregated public schools were unconstitutional. By 1960, law suits seeking implementation of the Supreme Court ruling and suits in opposition were reaching a crescendo in the Fifth Circuit.

Judge Tuttle responded in a characteristic way. He was tireless in his work. He was devoted to the principles of our justice processes. His personal courage under stress was remarkable. In helping to implement the law, he made a notable contribution to the new sense of national harmony and strength that emerged from that period.

Chief Justice Earl Warren once made this evaluation of those contributions: ". . .for his role in this struggle, particularly during his years as Chief Judge, Elbert Tuttle must be recognized as one of the great judges of this era."

Judge Tuttle also handled a variety of other cases with consistent skill. In addition, he resolved in masterful ways the administrative problems of a Circuit that covers a huge geographic area and faces a bewildering array of cases.

More than 20 years ago, Judge Tuttle said in a commencement address that young men and women should not merely do their duty. "The richness of life," he said, "lies in the performance which is above and beyond the call of duty." Judge Tuttle has performed such duty for the country.

THE WHITE HOUSE
WASHINGTON

RICK HUTCHESON

The attached was returned in
Mrs. Carter's outbox. It is
being forwarded to you for
appropriate handling.

Madeline MacBean

1/31/79

THE WHITE HOUSE

WASHINGTON

Date: 29 January 1979

MEMORANDUM

FOR ACTION:

The First Lady - *ok if Pres wants to*
 Jerry Rafshoon
 Stu Eizenstat *attacked* Bob Lipshutz
 Phil Wise
 Fran Voorde *attended concert - LAW DAY - MAY 1 event*
 Anne Wexler *ok for reception - but no award*

FOR INFORMATION:

no need w/ reception but serious problem w/ budget of funds
- more plans

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Attorney General memo re Proposed Reception for Judges and Lawyers

YOUR RESPONSE MUST BE DELIVERED
 TO THE STAFF SECRETARY BY:

TIME: 12:00 Noon

DAY: Wednesday

DATE: 31 January 1979

ACTION REQUESTED:

Other: ☐ Your comments

STAFF RESPONSE:

☐ I concur. ☐ No comment.
 Please note other comments below:

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

THE WHITE HOUSE

WASHINGTON

January 31, 1979

MEMORANDUM FOR: THE PRESIDENT

FROM: STU EIZENSTAT *Stu*
STEVE SIMMONS *Steve*
FRANK WHITE *FW*

SUBJECT: Bell Memo on Reception for
Judges and Lawyers

We strongly agree with the Attorney General's recommendation for a White House reception. The Judicial Reform Message is already on the legislative agenda you approved. The Message itself will review your legislative program to increase efficiency, cut costs, and enhance the integrity of the Federal Court system, and we have been working closely with the Justice Department on it. We hope this will be seen as Jimmy Carter reforming the Judicial Branch, just as you reformed the Executive Branch with the civil service initiative.

Also, Senator Kennedy may try to take most of the credit for the reforms, and this would be a way of getting you out front on it. We know that Judge Bell is personally very committed to such a reception, and if you agree, we will be happy to work with him in helping coordinate it.

Although we strongly believe the White House reception should take place in any event, we do question the wisdom of awarding Medals of Freedom at the reception as Judge Bell has suggested, for the following reasons:

- Such a ceremony would detract from the media attention given the Judicial Reform Message;
- Judge Kaufman, who has been suggested by the Attorney General, has been subject to severe criticism for his conduct in handling the Rosenberg case (the Rosenbergs were executed for passing atomic bomb secrets to the Russians. Kaufman's ex parte conduct with the F.B.I. during the proceedings has been questioned). Although a highly talented judge, he has become a controversial figure. Indeed, demonstrators may protest this choice.
- Judge Tuttle is a truly outstanding and respected jurist and deserves great credit for his courageous

dedication to constitutional principle in the face of adversity. However, he does not have the national reputation of other judges, such as William O. Douglas. Indeed if a Medal is to be awarded, the list of possible candidates should be expanded to include State judges such as Roger Traynor, former California Supreme Court Chief Justice, leading lawyers, and legal scholars;

- Your awards have so far been to persons with worldwide reputations such as Jonas Salk and Martin Luther King. That would hardly be the case with Kaufman and Tuttle. On the other hand, although you have made only four awards in two years, Presidents Johnson, Nixon and Ford averaged 34, 10, and 22 respectively for a similar period of time. This could be an opportunity for you to initiate a pattern of more frequent awards (which we support) to recognize distinguished Americans with one of the few unique means we have. Unless this happens, there would be little justification for an award to these two candidates.
- This event may be a particularly inappropriate time to award an individual medal, for if the judge picked is not universally acclaimed, there will undoubtedly be comparisons among all of the judges and lawyers present. Indeed, if some believe that other judges are clearly more qualified, you may be accused of favoring Judge Tuttle over others because of his connections with the Administration which might have implications with respect to the whole issue of merit selection of judges.

Judge Bell is likely to resist your consideration of any other candidates. He has stated he would like to speak with you personally if you are inclined not to make these awards. In light of the legitimate questions which might be raised over these two and the length of time it would take to identify other candidates, you may want to seriously consider deferring any action now. This would permit you to consider more carefully just how selective you want the process to be. If you decide to use it more frequently, then an award to one or more members of the legal profession can be made at that time.

THE WHITE HOUSE

WASHINGTON

February 1, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: ROBERT LIPSHUTZ *of 2*
MARGARET MCKENNA *mk*

SUBJECT: Bell Memorandum Regarding Reception
for Judges and Lawyers

We support the Attorney General's recommendation for a White House reception for judges and lawyers to highlight our judicial reform package. This would seem to be an appropriate time to present Medals of Freedom to representatives of the legal profession.

- Judge Tuttle is an outstanding candidate for this award. He is respected by jurists, lawyers and laymen.
- We believe Judge Kaufman is not an appropriate recipient. His name is invariably linked with the Rosenberg case and he is severely criticized for his role in that case.
- You might consider awarding four Medals of Freedom -- 1 to Judge Tuttle, 1 to a state court judge, 1 to a practicing lawyer, and the fourth to either another judge or a representative of some other part of the legal profession.

We would be glad to work with Stu and the Attorney General on recommending other nominees for this award.

THE WHITE HOUSE

WASHINGTON

Date: 29 January 1979

MEMORANDUM

FOR ACTION:

The First Lady
Jerry Rafshoon
Stu Eizenstat
Phil Wise
Fran Voorde
Anne Wexler

Bob Lipshutz

FOR INFORMATION:

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Attorney General memo re Proposed Reception for
Judges and Lawyers

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 12:00 Noon

DAY: Wednesday

DATE: 31 January 1979

ACTION REQUESTED:

___ Your comments

Other:

*I suggest considering as a possible
Law Day (May 1) event. I would be
happy to discuss this w/ AG if
you wish. Let me*

STAFF RESPONSE:

___ I concur.

___ No comment.

Please note other comments below:

*know please
disposition*

Thanks.

Fran
*Phil concurs
with above.*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

THE WHITE HOUSE

WASHINGTON

Date: 29 January 1979

MEMORANDUM

FOR ACTION:

~~The First Lady~~

Jerry Rafshoon

Stu Eizenstat

Phil Wise

Fran Voorde

Anne Wexler

Bob Lipshutz

FOR INFORMATION:

FROM: Rick Hutcheson, Staff Secretary

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YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 12:00 Noon

DAY: Wednesday

DATE: 31 January 1979

ACTION REQUESTED:

____ Your comments

Other:

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for Preservation Purposes

STAFF RESPONSE:

____ I concur.

____ No comment.

Please note other comments below:

ok if I want to
R

JAN 30 1979

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

THE WHITE HOUSE
WASHINGTON

2/5/79

Tim Kraft
Arnie Miller

The attached was returned in
the President's outbox today
and is forwarded to you for
appropriate handling.

Rick Hutcheson

FOR STAFFING

FOR INFORMATION

FROM PRESIDENT'S OUTBOX

LOG IN/TO PRESIDENT TODAY

IMMEDIATE TURNAROUND

NO DEADLINE

LAST DAY FOR ACTION

ACTION

FYI

ADMIN CONFIDENTIAL

CONFIDENTIAL

SECRET

EYES ONLY

VICE PRESIDENT

JORDAN

EIZENSTAT

KRAFT

LIPSHUTZ

MOORE

POWELL

RAFSHOON

WATSON

WEXLER

BRZEZINSKI

MCINTYRE

SCHULTZE

ADAMS

ANDRUS

BELL

BERGLAND

BLUMENTHAL

BROWN

CALIFANO

HARRIS

KREPS

MARSHALL

SCHLESINGER

STRAUSS

VANCE

ARAGON

BUTLER

H. CARTER

CLOUGH

CRUIKSHANK

FALLOWS

FIRST LADY

GAMMILL *AM*

HARDEN

HUTCHESON

LINDER

MARTIN

MOE

PETERSON

PETTIGREW

PRESS

SANDERS

VOORDE

WARREN

WISE

THE WHITE HOUSE

WASHINGTON

February 2, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

TIM KRAFT

ARNIE MILLER

TK
AA

SUBJECT:

Member, United States Parole Commission

The term for the United States Parole Commission member currently serving in Philadelphia has expired. Commission Chairman Cecil McCall has agreed that we should replace the current member, and he joins us in recommending that you nominate Louis S. Aytch of Pennsylvania for that position.

Mr. Aytch's career spans many segments of the criminal justice system. He began as a social worker for Philadelphia County in 1950, and has served as a prison social worker, Associate Warden and Warden of the Philadelphia House of Correction, Superintendent of Prisons, and most recently as the Chief Probation Officer for Philadelphia County.

In 1972, Mr. Aytch became Superintendent of the Philadelphia prison system, where in spite of less than total commitment from the City Administration, he was able to produce significant innovations in the areas of intake coordination, vocational training, health care services, staff reorganization, and inmate disciplinary procedures.

Mr. Aytch is strongly supported by Congressman Gray, Commission Chairman McCall, the Domestic Policy Staff, and a wide range of the Philadelphia criminal justice community.

RECOMMENDATION

Nominate Louis S. Aytch to be a member of the U.S. Parole Commission.

✓
_____ approve

_____ disapprove

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LOUIS S. AYTCH
Philadelphia, Pennsylvania

EXPERIENCE

1979 - Present	Chief Probation Officer, Court of Common Pleas, Philadelphia County
1978 - 1979	Deputy Chief Probation Officer, Court of Common Pleas, Philadelphia County
1972 - 1978	Superintendent, Philadelphia Prisons
1970 - 1972	Prison Warden, Philadelphia House of Correction
1959 - 1970	Associate Warden and Supervisor of Social Services, Philadelphia House of Correction
1956 - 1959	Social Worker, Holmesburg Prison, Philadelphia
1950 - 1954	Social Worker, Philadelphia County Board of Assistance
1943 - 1946	U.S. Army, Corporal

EDUCATION

1970	Pennsylvania State University Correctional Management Institute
1962	Temple University, Philadelphia Certificate Program: Deviate Behavior
1953	St. Joseph's College, Philadelphia B.S., Social Studies
1940 - 1943	Southern University, Baton Rouge, Louisiana

PERSONAL

Black Male
Age 56
Democrat

COMMENTS ON LOUIS S. AYTCH

Anthony Travesano, Executive Director, American Correctional Association

"Lou Aytch is a class one professional in the corrections field. In Philadelphia he has headed a large department, the size of which is on the level of many state programs. He has displayed a positive and moderate philosophy, with no chinks in his armour. In the corrections field, the Philadelphia system has a reputation of being much better for his having been there. He has the credentials, and I feel that his would be a great appointment."

The Honorable William H. Gray III, Congressman, Philadelphia

"I have known Lou for many years. He has over twenty years experience in corrections, and brings outstanding qualifications for this appointment. He has done a superb job in the Philadelphia system; he is widely respected in the community, and has my highest recommendation."

Cecil C. McCall, Chairman, United States Parole Commission

"I have spent considerable time with Mr. Aytch, and inquired of him from others who have known him over the years in the criminal justice field. His candor, tact, understanding, and genuine concern for both the impact of crime and the fair and humane treatment of offenders recommends him highly. It is my belief that the appointment of Louis Aytch to the Commission would be an outstanding one."

Dr. Vincent O'Leary, President, New York State University

"I am familiar with Lou Aytch's work in the Philadelphia corrections system both by personal contact and by reputation. I have known him to be sincere, and a man of high integrity. He came into a very tough situation in the Philadelphia system and did a fine job considering the tools he had to work with. I know of no weak points in either his personal integrity or professional capabilities. I would say that his intelligence and understanding of the criminal justice system would make his a fine appointment."

THE WHITE HOUSE
WASHINGTON

2/5/79

Tim Kraft

The attached was returned in
the President's outbox today
and is forwarded to you for
your information.

Rick Hutcheson

Telephone Calls - Week of January 22, 1979 - Page Two

William Wynn
Washington, D.C.

(o) 202/223-3111
(h) 202/768-4470

Wynn is President of the Retail Clerks International Union (RCIU). Wynn told Landon in early December that he was fully supporting you for re-election. RCIU will become the largest union in the AFL-CIO when it's merger with the Meat Cutters is completed early this year. The Union's membership after the merger will exceed 1.1 million. RCIU in recent years has increased its political activity and under Wynn will continue to do so. Wynn is close to Glenn Watts, President of CWA. Wynn is the only President of a major International Union who has supported publicly the deceleration program. The newly-merged Retail Clerks and Meat Cutters will hold their inaugural convention in Washington and you have been invited to address the convention. Wynn may ask you about this. Wynn also was among the delegation that represented you at Golda Meir's funeral.

NOTES: "Easy to be Supportive"

Dick O'Neill
Orange County, California

415/392-8600 (hotel number)

(213) 384-4728--L.A. Home
(714) 493-7886--Orange Cty Home
(714) 835-9171--Orange Cty Office

Dick O'Neill is the new state party chairman for California, elected at the state convention this past weekend. Extremely wealthy, he recently donated \$20,000 to the DNC to help pay off their old debt. He owns 40,000 acres in Orange County (you attended a fundraiser on his ranch in 1976), and he created the Democratic Party in Orange County virtually single-handedly. He is committed to having California go Democratic in 1980, and will work on voter registration, get-out-the-vote, and fundraising in order to accomplish that.

NOTES: V.P. just called him -
reschedule later

additional material re 1:30 meeting

1:30 PM

THE WHITE HOUSE
WASHINGTON

February 5, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: STU EIZENSTAT *Sta/B.D.R. int*

SUBJECT: YOUR 1:30 P.M. MEETING WITH NATIONAL
ASSOCIATION OF DIRECTORS OF STATE
DEPARTMENTS OF AGRICULTURE

Jody, Hamilton, Anne, and I believe that we can use your 1:30 p.m. meeting today with NASDA to divert some attention from the American Agriculture Movement tractorcade in town today. We have discussed this possibility this morning, and, while the tractorcade will undoubtedly receive a great deal of attention in the press, the statements you make to an agriculture group on the same day should also receive significant press attention and help get our side of the story out to the public.

Our suggestion is that Jim Graham of North Carolina, President of NASDA and a strong Carter supporter (see attached letter), be allowed to open the meeting in the presence of the press with a brief statement complimenting the Administration on its farm policy. We have worked with Jim Graham today to insure that his statement would be brief and positive. While the cameras and press are still present you can then make a 30 to 60 second opening statement. We think it would be very helpful for your opening statement to hit each of the following four points:

- We have worked hard over the past two years to secure passage of new farm legislation that is geared to present-day farming needs. With the passage of the Food and Agriculture Act of 1977 and the Agricultural Credit Act of 1978, we have accomplished this purpose.
- These new authorities represent the best, most comprehensive farm legislation this country has ever

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had - and our farmers are beginning to feel their beneficial effects. Overall, farm prices are up about 20 percent from year ago levels. Total net farm income increased 40 percent last year - to the second highest level in history. Our exports reached \$27.3 billion last year - another record - and we expect to beat that this year.

- Despite these gains, we do have more to do to ensure that all our farmers are benefitting from this record. We will continue to work for expanded agricultural exports and for improvements in our farm programs.
- But, we must do so mindful of the need to restrain inflation. No sector in our economy is hurt more from the current inflation than agriculture. I appreciate the support you have given to my anti-inflation program. It has been helpful in demonstrating that good farm policies are not inconsistent with the fight against inflation.

1:30 p.m.

THE WHITE HOUSE
WASHINGTON

February 5, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: STU EIZENSTAT *Stu/B. D.R. int*
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→ you could make this a little stronger by recognizing that farmers historically have not received their fair share of the nation's prosperity. We are working to repair that inequity and in the past two years we have made real progress. Goly

1:30 pm

THE WHITE HOUSE
WASHINGTON

February 5, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: ANNE WEXLER *AW*

SUBJECT: Meeting with Officers
and Board of Directors
of National Association
of Directors of State
Departments of
Agriculture

Attached is a letter recently
received from Jim Graham, President
of NASDA. I thought you might be
interested in the last paragraph.

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State of North Carolina

Department of Agriculture

Raleigh

JAMES A. GRAHAM
COMMISSIONER

January 26, 1979

Ms. Anne Wexler
Assistant to the President
The White House
Washington, D.C. 20500

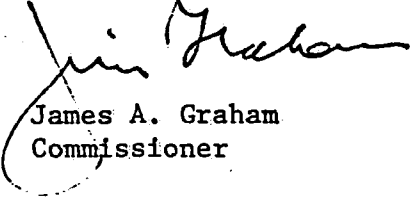
Dear Anne:

Sorry I did not get to speak to you yesterday at the China Briefing but I want to thank you for including me and my associates in the State Departments of Agriculture to this very informative meeting. As you could tell by the interest of the agricultural aspects it would be very valuable to normalize relations with the people's Republic of China and would be most important to us at this time.

Thank you again Anne, and we look forward to our continued cooperative efforts together to support the President as he makes his courageous decisions effecting the lives of our country.

With all good wishes.

Cordially,


James A. Graham
Commissioner

1:30 PM

THE WHITE HOUSE
WASHINGTON

February 4, 1979

MEETING WITH OFFICERS AND
MEMBERS OF THE BOARD OF DIRECTORS OF
THE NATIONAL ASSOCIATION OF DIRECTORS OF STATE
DEPARTMENTS OF AGRICULTURE (NASDA)
Monday, February 5, 1979
1:30 p.m. (20 minutes)
The Cabinet Room

From: Stu Eizenstat *Stu/B, D.R.*
Lynn Daft *Lynn*

I. PURPOSE

To discuss several agricultural policy issues of special interest to the State Directors, including reorganization, agricultural exports, and the FY 1980 budget.

II. BACKGROUND, PARTICIPANTS, AND PRESS PLAN

- A. Background: The National Association of State Departments of Agriculture (NASDA) is recognized as the national spokesman for the States in matters pertaining to agriculture. They represent the Departments of Agriculture of the 50 States and the trust territories of Puerto Rico, Guam, American Samoa, and the Virgin Islands. State Departments of Agriculture are primarily engaged in regulatory activities pertaining to agricultural marketing, plant and animal disease control, and meat and poultry inspection. Politically, this group tends to be conservative and to view agricultural issues rather parochially.

The Association is holding its mid-Winter meeting in Washington through Wednesday. Both Secretary Bergland (who will be out of town Monday) and Ambassador Strauss are scheduled speakers.

Jim Graham of North Carolina, the Association's president, is a long-time supporter of yours. John White, who will also attend the meeting, is a former Texas commissioner of Agriculture and past member

THE WHITE HOUSE

WASHINGTON

-2-

of the Association.

A copy of the statement they will be presenting you is attached.

B. Participants:

James A. Graham (North Carolina), President
William P. Stephens (New Mexico), First Vice President
Frederic Winthrop, Jr. (Massachusetts), Second Vice President
S. Mason Carbaugh (Virginia), Secretary-Treasurer
John M. Stackhouse (Ohio), Immediate Past President
Howard C. Townsend (New Hampshire), Past President
John R. Block (Illinois), Midwestern Region
McMillan Lane (Alabama), Southern Region
Leonard Kunzman (Oregon), Western Region
Joseph N. Williams (Maine), Northeastern Region

John White (DNC)
Lynn Daft (DPS)

C. Press Plan: Photo opportunity (first 3 minutes) and White House photographer.

III. TALKING POINTS

See Attachment.

Suggested Talking Points
for Meeting with State Departments of Agriculture

1. General Introduction: I appreciate the cooperative, constructive attitude your Association has taken toward the many public policy issues that affect it. Your help and support in achieving passage of the energy bill was most gratifying. Your endorsement of normalizing relations with China, of budgetary restraint, and your recognition of the importance and long-term value to U.S. Agriculture of the MTN are much appreciated. I want you to know that we are anxious to work with you and those you represent in the design of these and other policies. We look to you as full partners in this process.

2. Inflation and Agriculture: I especially appreciate your support for the Administration's anti-inflation program. There is no sector in our economy that has more to gain from reducing inflation than agriculture. We have made good progress over the past two years in turning around farm prices and farm incomes. Overall, farm prices are now over 20 percent above year ago levels. Gross receipts have risen even faster. The Department of Agriculture now estimates that total net farm income rose by 40 percent last year. Yet, to the extent general inflation continues to drive up the cost of production, farmers will not be able to realize the economic gains they deserve.

Conquering inflation will require sacrifice on the part of everyone. It will not be easy. It is very important that it be done fairly and intelligently, and that people understand the importance and the significance of the sacrifices they are being asked to make. I need your help in carrying that message and in making those tough choices.

3. Reorganization: Although I have not yet received the recommendations of my advisors on this topic, I want to assure you of one thing. I have no intention of taking an action that would lessen the importance or the influence of the Department of Agriculture in the making of agricultural policy. To the contrary, I am considering proposals aimed at strengthening the Department's capacity, not lessening it.

In this regard, I would urge you to support our efforts to enhance the Department's ability to deal with a broader range of issues, especially those dealing with nutrition and international trade and development. If the Department of Agriculture is to have a lead responsibility in addressing these issues, it must broaden the scope of its mission and acquire the skills needed to carry it out.

4. Meat and Poultry Inspection: With regard to the need for additional funds for this program, I understand that representatives of your Association have met with Secretary Bergland recently and that he has formed a work group to assess the situation and, if necessary, to prepare a supplemental budget request for FY 1979. In the event this is necessary, I would hope that your members could work closely with the USDA in developing the supporting evidence. This information will be important to any decision by OMB.
5. FY 1980 Budget: As you know, the FY 1980 Budget is a very austere budget. It must be if we are going to reduce the deficit and thereby lessen the inflationary pressures. However, it is also a fair budget and one that has been carefully crafted to reduce waste and inefficiency.

On the whole, agriculture fares well in this budget. In part, agriculture fares well because many of the programs are entitlement programs. But beyond this, they do well because of the many priority needs in agriculture.

I would ask that you look at the details of this budget in assessing its merits. Some of the totals are misleading. In the case of agricultural research, for example, although the totals are down, we are redirecting funds away from the construction of facilities and inhouse research and toward extramural research, including a doubling of the competitive grant program. As a result, outlays for basic agricultural research will not be reduced. Furthermore, we intend to give further support to research in basic plant genetics, conservation, food safety, integrated pest management, and climate. We are also undertaking expanded efforts to evaluate the value of remote sensing in assessing crop conditions.

The National Association of State Departments of Agriculture

WASHINGTON OFFICE: 1616 H Street, N.W. ■ Washington, D.C. 20006 ■ Phone (202) 628-1566

James B. Grant, Executive Secretary

Stuart B. Hardy, Assistant Executive Secretary

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McMillan Lane

Southern Region

Wilson Kellogg

Western Region

Joseph N. Williams

Northeastern Region

**TO THE HONORABLE JIMMY CARTER
PRESIDENT OF THE UNITED STATES**

**A STATEMENT OF THE
NATIONAL ASSOCIATION OF
STATE DEPARTMENTS OF
AGRICULTURE**

**PRESENTED BY THE
HONORABLE JAMES A. GRAHAM
PRESIDENT,
AND THE
BOARD OF DIRECTORS**

FEBRUARY 5, 1979

Mr. President: We are deeply honored by your willingness to take time in your busy schedule to meet with us, and we appreciate this opportunity to share with you several of our views and concerns.

Our visit is timely because it comes just days after the historic White House visit of Vice Premier Teng Hsiao-ping of the Peoples Republic of China. The normalization of relations with mainland China is an achievement of momentous significance, and we support with enthusiasm your policy of stronger trade links with both the Peoples Republic of China and Taiwan.

Our association represents the departments of food and agriculture in the fifty states and four trust territories. As such, we are necessarily concerned with the full spectrum of national farm and food policy issues and decisions. We have worked closely with Secretary Bob Bergland of the Department of Agriculture, and we have also benefited from a firm working relationship with policy makers in the Environmental Protection Agency, the Food and Drug Administration, the Interior Department, and other federal agencies.

Mr. President, we appreciate the spirit of openness and cooperation that is now being shown by your Administration in its relations with the state departments of agriculture, and we look forward to an even closer partnership in the future.

Two weeks ago, the proposed federal budget for fiscal year 1980 was made public. We commend your determination to cut the growth in the federal deficit, and curb the rate of inflation. This budgetary restraint is especially welcome because inflation, while it victimizes all sectors of the economy, is particularly destructive to the farm economy.

The overall budget strategy is sound, and merits our wholehearted support. At the same time, however, we must call to your attention several budgetary trends which run counter to the goals we all share.

Foremost among our concerns is the steady drift toward federal preemption of functions that traditionally have been the responsibility of state and local governments. Among the areas most severely affected by cutbacks in the proposed budget are Federal/State cooperative grant and cost-sharing programs. As federal support for these cooperative programs declines, states find themselves unable to foot the rising bill. The net result is the reversion of state programs to the federal level where administrative costs are much higher.

At the present time, we are confronted by a graphic example of this tendency; namely, the decision of the Agriculture Department to hold funding for state meat and poultry inspection programs at 1978 levels. Since 1967, these programs, which are mandated by federal statute and administered in full conformity with federal standards, have been funded on an equal 50%/50% cost-sharing basis. Additional funds are needed now in order to preserve the equal cost-sharing formula and maintain the programs during the states' current fiscal year at a level of performance consistent with federal standards.

Unless this issue is resolved, it is likely that some states will return their meat and poultry inspection program to the federal government. Should this occur, the additional cost to the federal treasury will far exceed the additional cost-sharing funds (approximately \$2 million for the remainder of the states' fiscal year) needed to keep the states in business. States want to maintain their meat and poultry programs, but they should not be expected to pay more than half the costs of this federally mandated program.

We are equally troubled by another budgetary trend. Specifically, we cite a decline in support for agricultural research and extension. Past investments in research and extension have paid rich dividends and have helped to make this nation the world's most efficient and reliable agricultural producer. Greater efforts in research and extension are needed today more than ever before because crop yields have leveled off and because federal environmental and food safety regulations necessitate the development of new technologies to reduce our dependence on chemical inputs. The relative decline in research and extension programs is all too symptomatic of the general decline of programs that aid and support production agriculture.

Mr. President, the proposed budget for FY 1980 is a key element in your anti-inflation strategy. Another important element is your proposal to streamline the federal bureaucracy and to curb waste, duplication, and unnecessary regulation. We endorse these efforts and share your conviction that civil service reform and government streamlining can contribute to a system which is both cost-effective and more responsive to citizens needs.

Nevertheless, we are alarmed by persistent reports that several of the reorganization options being developed by your staff suggest a weakening, if not dismemberment, of the U.S. Department of Agriculture. We are convinced that any partition of USDA will inhibit, not promote, your efforts toward improved governmental efficiencies.

Since its inception under President Lincoln, USDA has developed an effective delivery system, and compiled a praiseworthy record of service to rural America. Farmers and ranchers are not always happy with USDA policies, but they have come to trust Department personnel at the county level, and to view the Department as a champion and advocate for production agriculture at the national level. For this reason, any transfer of major agencies from the Department would not only jeopardize an effective delivery system, it would squander a century of good will and raise doubts in the minds of rural citizens about the nation's commitment to agriculture and rural America.

Related to the government reorganization proposals is the issue of national water policy. We concur in your efforts to develop a cohesive, consistent national water policy, and we appreciate the great lengths to which your administration has gone to secure maximum public participation in the development of such a policy.

As you know, a significant portion of the nation's food and fiber is grown on irrigated land. We take this opportunity to express our hope that the new federal policies will not put agriculture at a disadvantage in the keen competition for water resources. We also hope that federal policies will avoid any interference with state and private water rights and allocation systems.

We also take this opportunity, Mr. President, to commend your efforts to reduce barriers to world trade, and to underscore your recognition of the growing importance of agricultural exports to the nation's trade balance. In recent years, state departments of agriculture have become aggressively involved in foreign market development programs. In addition to numerous overseas offices, three of our regional associations maintain export promotion offices in Chicago, New Orleans and New York City. This week, for example, the Southern United States Trade Association (SUSTA), which is supported by departments of agriculture in the Southern states, is hosting a major trade exposition in New Orleans. The exposition will bring together 200 foreign buyers from 30 countries with more than 120 U.S. companies displaying food products from 25 states.

The Export Trade Act of 1978, which you proposed and which NASDA firmly supported, opens new opportunities for an expansion of farm exports. Your China initiatives, coupled with the forthcoming agreements that culminate the Tokyo Round of the Multilateral Trade Negotiations, further brighten our agricultural trade prospects. We in the States intend not merely to maintain our extensive trade promotion efforts; we intend to strengthen them in order to take full advantage of the new market opportunities. We have much to offer in this area, and we ask that federal agencies take greater stock of our efforts, and make us a more integral part of the policy-making process at the national level.

With respect to domestic policy, we are encouraged by the timely and balanced implementation of the Natural Gas Policy Act of 1978. As you know, this measure, which NASDA fought hard to enact, assures priority use of natural gas to essential agricultural users in the event of any future shortage. We will continue to contribute to and participate in, the rule-making procedures initiated by this Act. We are also encouraged by your commitment to research and development in the area of new energy technologies for farm uses, and new energy sources. With respect to transportation policy, Mr. President, we are profoundly concerned about the continuing shortages of railcars, the abandonment of rail lines in rural areas, and the deterioration of our aging rural transportation network. Rural roads, bridges, railroads and waterways have deteriorated to the extent of jeopardizing our ability to move essential inputs on to the farm, and crops from farm to market. Counties, states, and the federal government share responsibility in this area, and we must get on with the job of rebuilding our rural transportation system.

Last year you gave the rehabilitation process a needed boost by supporting measures to re-build Lock and Dam 26 on the Mississippi River. We appreciate your support of this long overdue project, and we ask your help in initiating additional projects of improvement on waterways and on other essential transportation modes.

Mr. President, we wish to call your attention to another issue of special concern. We refer to the accelerating rate at which agricultural land is being lost to other uses. This loss of farmland (from 3 to 5 million acres each year) threatens the economic viability of specific regional areas, and the production of highly specialized crops. We need to maintain farm belts near urban areas, not merely for aesthetic reasons, but also as a means of assuring urban America of an accessible supply of fresh food, at reasonable cost.

We, in the States, have agreed to share our resources in an effort to preserve prime farmland. We ask that the federal government support our efforts by helping us to fund and implement pilot programs to protect farmland, and by adopting a national policy that will require federal agencies to cease actions and policies that contribute to the unnecessary destruction of farmland. In this regard, we note and applaud the recently adopted policies of USDA and EPA on farmland protection, and we hope that these actions have concrete results.

Mr. President, the 96th Congress is only three weeks old, but already the Congress is confronted with a full agenda of farm-related legislation. At the top of this list is sugar support legislation. Ever since the expiration of the Sugar Act, the market for U.S.-produced sugar has suffered from serious instability, and the very future of our domestic sugar industry is in jeopardy. We need legislation to assure sugar cane and

sugar beet growers enough income to maintain a healthy domestic industry. Legislation is also needed to authorize the implementation of the International Sugar Agreement.

Another key item on the legislative agenda involves agricultural marketing orders and farmer cooperatives. As you know, Mr. President, the National Commission for the Review of Antitrust Laws and Procedures has recently published its recommendations. We are troubled by several of these recommendations which attack the Capper-Volstead Act.

One of the foundations of the agriculture industry in this nation is the opportunity that farmers enjoy to cooperatively market their products and to cooperatively purchase the items needed in the business. That the farmer has had this opportunity is one of the major reasons why citizens of this nation enjoy a plentiful supply of healthful, wholesome, and tasteful agricultural products at reasonable prices.

The development of cooperatives in the agriculture industry is possible because of the Capper-Volstead Act and related legislation. We, therefore, ask that you withhold your support from legislative attempts to weaken or repeal the Capper-Volstead Act.

In addition to sugar and antitrust legislation, Congress will also consider amendments to the Meat Import Act of 1964 that propose a "counter-cyclical" import control system and authorize the President to change statutory import levels by no more than ten percent. On October 16, 1978 you vetoed similar legislation. We were disappointed by your veto, and we were even more distressed by your decision, on June 8, 1978, to allow an additional 200 million pounds of foreign beef into the country. The immediate consequence of this action was a dramatic drop in cattle prices for producers who had already suffered through four years of extremely depressed markets. In the longer term, it could lead to very hectic price and supply fluctuations in the cyclical beef market.

We respectfully ask that you reconsider your opposition to the Meat Import Act amendments and refrain from any further increases of the beef import quota.

Mr. President, as the chief agricultural officers in the states and trust territories, we are especially sensitive to the needs of agricultural producers, processors, and the consuming public. We are mindful of the severe economic difficulties of farmers and ranchers caught in the vice grip of depressed farm prices and rising costs of production. Although farm prices have improved in recent months, we are still far short of the levels of farm prosperity that were achieved in the early 1970's.

As a farmer, Mr. President, you share our commitment to a healthy farm economy. You know that farmers and ranchers can meet the food and fiber needs of this nation and the world. You understand that farmers and ranchers are the consuming public's best friend, not the consumer's enemy. We, therefore, urge you to employ the great powers of your office in a manner that underscores the central importance of farmers and ranchers in our total economy.

Thank you for giving us this opportunity to visit with you.

THE WHITE HOUSE
WASHINGTON

February 3, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: JACK WATSON *Jack*
SUBJECT: Weekly Report

1. Your FY 1980 budget has been well received by State and local elected officials. There is strong support for your efforts to control inflation and the federal deficit. Although individual governors, mayors and others have differences on particular items in the budget, the general reaction is that you fulfilled your commitment to be fair in reducing the domestic budget.

Specifically, the National Governors Association, the National Conference of State Legislatures, the National Association of Counties, and the National League of Cities issued statements commending you. In each case specific concerns were expressed but in the context of appreciation for a tough job, well done.

The U. S. Conference of Mayors' staff issued a critical analysis of the budget which provoked a bitter debate at its meeting in Washington last week. Many of the Mayors did not support the tone of their staff's report.

2. Gene Eidenberg and I had lunch two weeks ago with John Moore and his top staff at the Ex-Im Bank. We are working to provide an effective link between the Administration and the Governors on the foreign trade issue. We intend to meet with John on a monthly basis.

Electrostatic Copy Made
for Preservation Purposes

My office arranged meetings for George Busbee, who chairs the Governors new Foreign Trade Committee with Secretaries Vance, Bergland, Kreps and Bob Strauss to enable George to be fully briefed on your export policy. George reported the meetings went very well and plans to devote three hours of his Committee's meeting at the end of this month to the entire range of export issues of interest to the Governors -- including a briefing on the upcoming MTN agreement.

We are working with George, appropriate White House and agency staffs, to schedule three regional briefings around the country to be hosted by Governors on trade and export policy. The briefings will be for major private sector interests and will include members of the Cabinet.

3. Gene and I attended the state dinner for Vice Premier Deng in Atlanta hosted by George Busbee. It was a very successful event and stimulated great interest in expanded trade opportunities with the Peoples Republic of China. As you know, George invited the members of his Trade Committee and all 15 attended. Julian Carroll and the other officers of the NGA attended as well.
4. As you know, our work with Fred Kahn is producing a good State and local anti-inflation program. We are planning a briefing on the plan for Governors, State legislators, Mayors and County officials later this month and will seek your participation. The "deregulation" of the grant-in-aid system is a vital part of this program and will be strongly supported by State and local elected officials.
5. On Wednesday in Des Moines, I announced an innovative demonstration program to provide the rural aged with congregate housing, meals and social services. This program will provide an alternative to institutionalization in either hospitals or nursing homes. Working with the Farmers Home Administration and the Administration on Aging, we have pooled \$7.5 million from existing sources to implement this interagency program in 6 sites to be selected later. My speech was before a national organization working in behalf of the aged and was very well received. We and OMB are working to implement a similar program with HUD.

6. I have been working with Bob Lipshutz following the last Cabinet meeting to see what can be done to ameliorate some of the severe, and unanticipated, consequences of the Ethics in Government Act. As you know, Jim Schlesinger, Harold, and Joe are extremely concerned that substantial numbers of their top people will leave before July 1st for fear of being unable to pursue their careers within fields under their jurisdiction while in the government. Bob and I will have a report with recommendations to you shortly. The problems are real.

7. Manny Plotkin, Director of the Census, is resigning. His relations with the top career staff in the Bureau had become very strained. The locus for dealing with this is properly in Juanita's office. Her staff is keeping me informed. I am staying in touch with Tim and Arnie in the search for a successor. ←

THE WHITE HOUSE
WASHINGTON

2/5/79

Zbig Brzezinski
Bob Lipshutz

The attached was returned in the President's outbox today and is forwarded to you for your information. The signed original has been given to Bob Linder for appropriate handling.

Rick Hutcheson

cc: Bob Linder

THE WHITE HOUSE

WASHINGTON

January 29, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

ROBERT LIPSHUTZ *RL*

RE:

Proposed Executive Order Entitled:
Imports from Uganda

The attached proposed order directs the Secretary of the Treasury to administer the import restrictions imposed against Uganda by recent legislation. These restrictions will remain in effect until there has been a determination that Uganda is no longer "committing a consistent pattern of gross violations of human rights." The order assigns to the Secretary of State the responsibility for monitoring the human rights conduct of Uganda but makes it clear that the final determination on Uganda's conduct will be made by the President.

We recommend that you sign the attached order.

☒ Approve

☐ Disapprove

- - - - -
IMPORTS FROM UGANDA

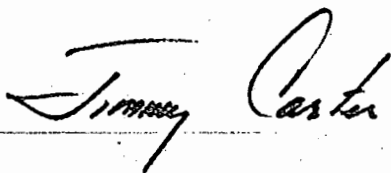
By the authority vested in me as President by the Constitution of the United States of America, and in order to provide for the consistent implementation of import restrictions imposed against Uganda by Section 5(c) of the Act of October 10, 1978 (92 Stat. 1051), it is hereby ordered as follows:

1-101. The Secretary of the Treasury shall administer those provisions of Section 5(c) of the Act of October 10, 1978 (Public Law 95-435; 92 Stat. 1051; 22 U.S.C. 2151 note) which prohibit a corporation, institution, group or individual from importing, directly or indirectly, into the United States or its territories or possessions any article grown, produced, or manufactured in Uganda. The Secretary of the Treasury shall issue such regulations that the Secretary deems necessary to implement those import restrictions. Prior to issuing those regulations the Secretary of the Treasury shall consult with the Secretary of State.

1-102. The Secretary of State shall advise the President whenever the Secretary believes that "the Government of Uganda is no longer committing a consistent pattern of gross violations of human rights" within the meaning of Section 5(c) of the Act of October 10, 1978.

1-103. If the President determines that the Government of Uganda is no longer committing a consistent pattern of gross violations of human rights, he shall so certify to the Congress. Thereafter, the Secretary of the Treasury shall revoke the regulations issued pursuant to this Order.

THE WHITE HOUSE,


Jimmy Carter

THE WHITE HOUSE

WASHINGTON

February 1, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

ROBERT LIPSHUTZ *RL*

RE:

Proposed Executive Order Entitled:
Administration of Security Assistance
Programs

The Foreign Assistance Act of 1961, as amended by the International Security Assistance Act of 1968, provides that licenses may not be issued for export of crime control and detection equipment to a country which engages in "gross violations of international human rights," unless the President certifies to Congress that "extraordinary circumstances exist warranting provision of such assistance and issuance of such licenses." The proposed Order would delegate to the Secretary of State the President's authority under the statute. (Without this Order, previous Executive Orders would automatically delegate the authority to the Secretary of Defense.)

The proposed Order also makes several other technical amendments in previous Executive Orders.

The attached Order has been approved by Justice and OMB. We recommend that you sign it.

✓ Approve

_____ Disapprove

EXECUTIVE ORDER

- - - - -

ADMINISTRATION OF SECURITY ASSISTANCE PROGRAMS

By the authority vested in me as President of the United States of America by Section 621 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2381), and Section 301 of Title 3 of the United States Code, in order to delegate certain responsibilities to the Secretary of State and the Secretary of Defense and to reserve others to the President, it is hereby ordered as follows:

1-101. Section 201(a) of Executive Order No. 10973, as amended, relating to the administration of foreign assistance, is further amended by deleting "(except chapter 4 thereof)" and inserting in lieu thereof "(except chapters 4 and 6 thereof)".

1-102. In Section 201 of Executive Order No. 10973, as amended, a new subsection (c) is added as follows:

"(c) Those functions under Section 634A of the Act, to the extent that they relate to notifications to the Congress concerning changes in programs under Part II of the Act (except chapters 4 and 6 thereof), subject to prior consultation with the Secretary of State."

1-103. Section 201(d) of Executive Order No. 10973, as amended, is revoked.

1-104. Section 203(a) of Executive Order No. 10973, as amended, is further amended to read as follows:

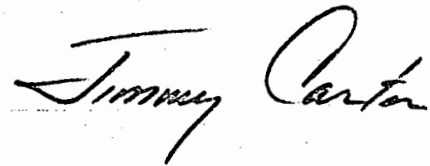
"(a) Those under Section 502B of the Act."

1-105. Section 401(c) of Executive Order No. 10973, as amended, is further amended by adding "515(f)," immediately after "506(a)," and by deleting "634(c), 663(a), and 669(b)(1)" and inserting in lieu thereof "633A, 663(a), 669(b)(1), and 670(b)(1)".

1-106. Section 401(g) of Executive Order No. 10973, as amended, is revised to read as follows:

"(g) Those under Section 607 of the Foreign Assistance and Related Programs Appropriations Act, 1979 (92 Stat. 1591), with respect to findings."

1-107. Executive Order No. 11958 of January 18, 1977, entitled "Administration of Arms Export Controls," is amended in Section 1(a) by deleting "(c)(3) and (c)(4)" and inserting in lieu thereof "(c)(3), (c)(4), and (f)".

A handwritten signature in cursive script, reading "Jimmy Carter".

THE WHITE HOUSE,

THE WHITE HOUSE
WASHINGTON

2/5/79

Zbig Brzezinski

The attached was returned in the President's outbox today and is forwarded to you for your information. The original has been given to Bob Linder for appropriate handling.

Rick Hutcheson

cc: Bob Linder

THE WHITE HOUSE

WASHINGTON

ACTION

February 2, 1979

MEMORANDUM FOR

THE PRESIDENT

FROM:

ZBIGNIEW BRZEZINSKI



SUBJECT:

PL 95-426 Mandated Reports

PL 95-426 requires you to submit the attached three reports to the Congress by January 20, 1979. The State Department has obtained extension of the deadline for submission. The reports are quite long and I have summarized them below:

International Journalistic Freedom Report (Tab A)
focuses on the UNESCO General Conference which adopted by consensus a mass media declaration affirming that "journalists must have freedom to report and the fullest possible facilities of access to information" as well as on our efforts with individual countries to convey US concerns of interference with the rights of journalists.

International Communication Policy Report (Tab B)
discusses the challenge that is presented to certain US interests (free-flow of information, adequate access to the radio spectrum and satellite parking spaces; our lead in data transmission) and the organizational and substantive steps that we are taking to counter it. It also reports on the UNESCO Conference (as above); the World Administrative Radio Conference to be held in September for which we are now developing positions that will protect our economic and political interests; the debate over direct broadcast satellites in the UN Outer Space Committee; the negotiations over transborder data flows that are nearing completion in OECD; and our attempts to meet the legitimate complaints of LDCs about imbalances in international communications, while resisting unworkable and unwise attempts to create a "New World Information Order."

US Policy Toward Cuba Report (Tab C) traces the development of relations between the two countries, notes successes during this Administration (repatriation of American citizens, prisoner release and permission to emigrate, the definition of a maritime boundary and improved relations between our respective coast guards), and highlights remaining serious problems. Specifically, it discusses the impediment to further progress toward normalization of relations that the Cuban presence in Africa has created and the question of compensation of American citizens for nationalized property in Cuba.

RECOMMENDATION:

That you sign the transmittal letters to the Speaker of the House and to the Chairman of the Senate Committee on Foreign Relations (this is the distribution mandated by the Act) (Tab D).

Attachments:

Tab A	--	International Journalistic Freedom Report
Tab B	--	International Communication Policy Report
Tab C	--	US Policy Toward Cuba Report
Tab D	--	Proposed Letters to Speaker O'Neill and Chairman Church and Senator Cannon.

THREE SIGNATURES REQUESTED

THE WHITE HOUSE

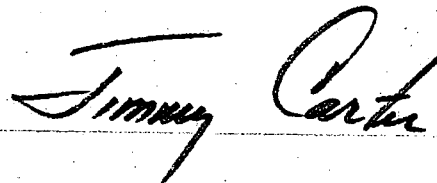
WASHINGTON

Dear Mr. Chairman:

Pursuant to the requirements of Sections 601, 603 and 613 of PL 95-426, the Foreign Relations Authorization Act, Fiscal Year 1979, I enclose reports on "International Communications Policy," "International Journalistic Freedom," and on "U.S. Policy Toward Cuba."

That Act also requires reports on "Discriminatory Trade Practices" (Section 606), which has been forwarded to you separately, and "Equitable Treatment of U.S. Citizens Abroad" (Section 611). The latter is not yet complete, although work on it is well advanced. I hope to be able to send it to you within the next thirty days.

Sincerely,

X 

The Honorable Frank Church
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE

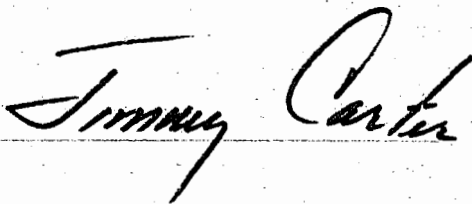
WASHINGTON

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Sincerely,

X 

The Honorable Thomas P. O'Neill, Jr.
Speaker of the
U.S. House of Representatives
Washington, D.C. 20515

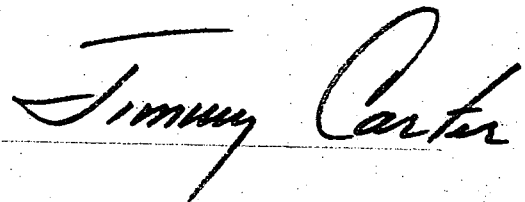
THE WHITE HOUSE

WASHINGTON

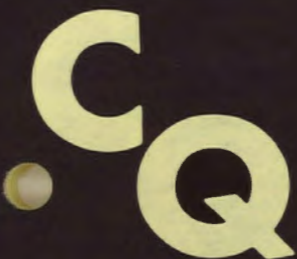
Dear Mr. Chairman:

Pursuant to the requirements of Section 601 of PL 95-426,
the Foreign Relations Authorization Act, Fiscal Year 1979,
I enclose a report on "International Communications Policy."

Sincerely,

X 

The Honorable Howard W. Cannon
Chairman
Committee on Commerce, Science
and Transportation
United States Senate
Washington, D.C. 20510



CONGRESSIONAL QUARTERLY **Weekly Report**

Supplement to: Vol. 37 No. 5

Feb. 3, 1979



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January-December 1978

95th Congress—Second Session

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EXPLANATIONS OF INDEXES: INSIDE FRONT COVER

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